

Amendment

U.S. Patent Application Serial No. 09/489,143

REMARKS

Claims 25 - 27 have been canceled in a prior amendment without prejudice or disclaimer of the subject matter thereof.

Claims 1, 9 and 17 have been amended.

Claims 1 - 24 are present in the subject application.

In the Office Action of December 27, 2007, the Examiner has rejected claims 1 - 24 under 35 U.S.C. §103(a). Favorable reconsideration of the subject application is respectfully requested in view of the following remarks.

The Examiner has: rejected claims 1 - 2, 9 - 10 and 17 - 18 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,905,973 (Yonezawa et al.) in view of U.S. Patent No. 6,910,018 (Okada et al.); rejected claims 3 - 6, 11 - 14 and 19 - 22 under 35 U.S.C. §103(a) as being unpatentable over the combination of the Yonezawa et al. and Okada et al. patents, and further in view of U.S. Patent No. 5,768,521 (Dedrick); rejected claims 7, 15 and 23 under 35 U.S.C. §103(a) as being unpatentable over the combination of the Yonezawa et al. and Okada et al. patents, and further in view of U.S. Patent No. 6,199,054 (Khan et al.); and rejected claims 8, 16 and 24 under 35 U.S.C. §103(a) as being unpatentable over the combination of the Yonezawa et al., Okada et al. and Khan et al. patents, and further in view of the Dedrick patent.

Applicants gratefully acknowledge the courtesies extended by Examiner Bashore during the recent Interview of April 1, 2008. During the Interview, Applicants discussed the present invention features of estimating the quantity of content to derive a price for the user-defined content object in view of the cited art. Applicants further showed the manner in which these

Amendment

U.S. Patent Application Serial No. 09/489,143

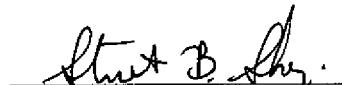
features are recited in the claims. No agreement was reached. However, the Examiner indicated that further clarification of the content object and entities as virtual or digital objects may overcome the rejections, but further consideration would be needed.

In accordance with the Interview, independent claims 1, 9 and 17 have been amended to further clarify aspects of the claimed invention, and recite the features of: the content object being a digital object; the content entities each including content comprising digital data; and generating an estimated content count for the selected content entities from the digital data within those entities.

Accordingly, independent claims 1, 9 and 17 and their corresponding dependent claims are considered to overcome the rejections and be in condition for allowance.

The application, having been shown to overcome issues raised in the Office Action, is considered to be in condition for allowance and Notice of Allowance is earnestly solicited.

Respectfully submitted,



Stuart B. Shapiro
Reg. No. 40,169

EDELL, SHAPIRO & FINNAN, LLC
1901 Research Blvd., Suite 400
Rockville, Maryland 20850-3164
(301) 424-3640

Delivered on: 04/02/08